

BENEDICT CRIES "FRAUD!"

Sues the Brooklyn Union Gas Company for an Accounting of Stock.

Some of the Defendants Are William Rockefeller, John G. Moore and Grant B. Schley.

STORY OF THE PRESIDENT'S FRIEND.

Avers That He Was Persuaded to Temporarily Surrender 2,000 Shares of Gas Stock and That He Cannot Get Them Back.

Elmer C. Benedict, the close personal friend of President Cleveland, has brought suit in the United States Circuit Court against the directors and officers of the recently organized Brooklyn Union Gas Company. The parties named as defendants are William Rockefeller, brother of the Standard Oil magnate; John G. Moore, Grant B. Schley, William H. Duff, Elberton R. Chapman, Henry H. Timmerman, Henry H. Rogers, William H. Cooper and the Guarantee Trust Company, of this city.

Mr. Benedict was until 1894 a stockholder of the Williamsburg Gaslight Company, holding 2,000 shares. According to his complaint the defendants at that time suggested a scheme to consolidate all the gas companies of Brooklyn, and induced him to hand over his 2,000 shares in the Williamsburg Company. They offered, he says, to loan him a sum of \$145,235.84, taking his stock as collateral, and effected that transaction as the consolidation was offered to him would give him securities in the new company in lieu of those he temporarily surrendered. He delivered his stock, obtained the "loan" mentioned and the syndicate secured control of the Williamsburg Company.

Instead of consolidating the companies at that time, however, the promoters took their time. He says that one of the defendants, William H. Cooper, voted upon his stock at a meeting of the Williamsburg Company, putting in a new board of directors without his consent. Having the other companies in the same position, they adopted a new scheme, and organized the Brooklyn Union Gas Company. The guarantee stock at \$15,000,000. The guarantee stock was named as a depository of bonds, and was authorized to deliver shares of the stock and bonds of the new company to the stockholders of the old gas companies, upon the basis of agreements made with them and upon the surrender of their old stock certificates to the Guarantee Trust Company.

In the month of November last all the old companies gave up their franchises and properties to the new company.

The complaint alleges that the defendants, who had carried on the negotiations, issued that securities to the amount of \$500,000 should not be delivered to the stockholders of the old companies, but should be held by the trust company for persons unknown to Mr. Benedict.

This sum of half a million dollars, he says, was claimed to be in payment of pretended commissions and expenses incurred in organizing the new company.

"The consideration for the sale of the Williamsburg Gas Company franchises and property," continues Mr. Benedict, "was \$3,150,000 per value in the old company and the portion of this provided to be withheld by the Guarantee Trust Company was \$105,000 per value of the new company's bonds."

Then Mr. Benedict says that after the organization of the new company he was informed that the new company had promised to him on many occasions, he says, that on many occasions he went to the new company and offered them the \$145,235.84 "loaned" to him a year ago if they would give him back his 2,000 shares. Figures were spoken, he says, but they refused to take his money, and according to his complaint they told him they had not received any shares from him.

Now Mr. Benedict wants the court to declare that all of the persons named as defendants are jointly and severally liable to him for the 2,000 shares of stock, and that their equivalent in the new company shall be issued to him. He also demands an accounting, particularly with reference to the \$500,000 used for expenses. He describes the defendants Messrs. Moore, Schley, Duff, Chapman and Rogers as being connected with the banking and brokerage firm of Moore and Schley, and he seems to blame them for most of the trouble. There are thirty-five printed pages to the complaint. Mr. Benedict, at his home, No. 10 West Fifty-first street, last night seemed anxious that the court should have no opinion should have been known.

"The whole thing is the result of a misunderstanding," he added.

BURGLARS CAUGHT AT WORK.

Four Thieves Discovered at the Old Jumel Mansion, Three Being Caught.

Burglars attempted to enter the old Jumel mansion, on Washington Heights, at 2 o'clock yesterday morning. This historic residence is occupied by General Ferdinand P. Earle. Policeman Mangin, of the West One Hundred and Fifty-second Street Station, saw four men trying to open the basement window. He got as close to them as possible without scaring them and then blew his whistle. The burglars ran and the policeman chased them, catching two of them at One Hundred and Fifty-eighth street and St. Nicholas avenue.

At this time Policeman Brown had returned to the whistle and he caught a third burglar. The fourth escaped. At the station house the three prisoners gave their names as Michael Glennon, twenty years old; Daniel Brady, eighteen, and John Fay, eighteen, all of No. 18 Bowery. Fay said that the leader of the gang was John Sullivan, whom they had met on the Bowery.

"He planned to rob the house," said Fay. "But he had been robbed by the police. He was arrested at One Hundred and Sixty-second street and St. Nicholas avenue on Monday night."

Mr. McCullough, at One Hundred and Sixty-second street and St. Nicholas avenue, on Monday night.

The three prisoners were arraigned in the Harlem Court yesterday and held in \$500 each for examination to-day.

AN Echo of the Aub Case.

The Appellate Division of the Supreme Court yesterday dismissed an appeal from an order by Recorder Goff, refusing, at the request of Walter S. Langemann, to force Barbara Aub to undergo physical examination. The dismissal was to clear the records of this part of the famous case.

BROOKLYN BREVIETTES.

The body of the late General Edward B. Fowles, who died in the City Hall last Friday night.

Mayor Wurstler yesterday said he would not announce his appointments until Monday or Tuesday next.

Henry Newman, fifty years old, a well-known grocer, was found dead in his bed at No. 270 Carlton avenue yesterday.

It is said that Captain Frederick Rodgers, of the Brooklyn Navy Yard, has been offered the command of the battleship Oregon.

The Brooklyn Heights fire will make reaction the city yesterday, and they will catch the city over the main lines to-day.

James Newman, ninety-two years old, and the oldest builder in Brooklyn, died yesterday at No. 40 Irving place, after an illness lasting only three days.

The Brooklyn Gas Trust is going to try and checkmate the electric light companies, which now illuminate the greater part of the city, by erecting incandescent lamps on the gas street lamps, when it is claimed, they will give as good light as electricity.

The extensive Brewster estate in Brooklyn, soon be divided, in accordance with the will of Mrs. Elizabeth D. Brewster, who died last year. The will was read yesterday. Mrs. Brewster, Henry Brewster Brewster and John Lefferts Brewster.

Mr. Francis Wickes Goodrich, of Brooklyn, yesterday appointed a member of the board of Managers of the Long Island State Hospital by Governor Morrie. Mrs. Goodrich is the wife of William W. Goodrich, the well-known admiral lawyer, and succeeds Mrs. J. A. Sutherland.

REJECTED SUITOR'S ACT.

Daniel Anderson Assaulted and Almost Killed Annie Rose, Whom He Had Long Courted.

Daniel Anderson, a cook, employed in a downtown hotel, wound up a two-years' unsuccessful courtship of pretty Annie Rose, a lady's maid, of No. 147 East Seventy-second street, on Thursday evening by attempting to beat out her brains.

The assault took place on the stoop of the girl's residence, after the vengeful cook had lain in wait for her several hours. The weapon used was a heavy glass bottle, and the injuries inflicted were serious. According to the physician who attended the young woman, she had a perilously close escape from death.

Annie Rose is employed by Mrs. J. Eisenberg. On Thursday evening Mrs. Eisenberg went to the theatre and Annie visited several friends. When she returned home at 11:30 o'clock she found the keyhole of the front door stopped up so that she could not insert her key. While she was trying to gain an entrance Anderson, who had concealed himself in the shadow of a tree, ran hastily up the stoop, and before the girl could utter an outcry struck her a terrible blow on the forehead with the bottle.

She sank on her knees, half blinded by the blood that flowed from a great gash near her left temple. Anderson then attempted to drag the girl down the stoop, but a passing citizen who had witnessed the assault called Policeman Baker, and Anderson was arrested and locked up in the East Sixty-seventh Street Police Station. The girl's wounds were dressed by an ambulance surgeon from Mount Sinai Hospital.

Miss Rose went to the Yorkville Police Court yesterday morning to press the complaint against Anderson, but his arrival there was so long delayed that she went home. It was later found that Anderson was in the Presbyterian Hospital, suffering from a dislocated shoulder, received while struggling with the policeman who arrested him.

Miss Rose said that Anderson began paying court to her two years ago, but that she continually refused to accept his attentions. He persisted, however, and a few days ago wrote her, warning her that if she abandoned him for some one else he would kill her.

BALTIMORE A NOBLE SHIP.

Commander Day Tells of Her Splendid Performances.

Washington, Jan. 17.—The Secretary of the Navy to-day received an official report by mail from Captain B. F. Day, commanding the United States cruiser Baltimore, giving a detailed account of the thrilling experiences of that ship in a typhoon while on the way from Yokohama to Honolulu. The report is dated at Honolulu, whence the Baltimore is said to have sailed for San Francisco on the 10th.

The Baltimore sailed from Yokohama on December 3, and on the night of the succeeding day was overtaken by a typhoon about 400 miles off the Japan coast. Four days and a half were lost lying in the midst of the storm. On the fifth the weather conditions had grown much worse. Hatches were battened down; the ship slowed to steerage way and the commander fell steadily until it reached 28.50 on the morning of the 9th. Long before this Captain Day had concluded that the ship was in the northeast quadrant of a typhoon, but the wind blowing against the Japan current with such great force had driven the ship westward with a remarkably steep advancing face.

In conclusion Captain Day says: "This ship has been looked upon with suspicion with regard to her seagoing qualities, and for my part I have never been desirous of testing her. But by her performance in the gale my confidence in her has been fully established, and I consider her an excellent sea boat. No ship could have done better. It was the worst weather I have ever experienced at sea, yet the ship went through it without serious damage or danger, and was quite fit to encounter another at once."

AFRICANS NOT TO UNITE.

Methodist Episcopal and Zion Churches Vote Against Consolidation.

Baltimore, Jan. 17.—The African Methodist Episcopal Church and the African Methodist Episcopal Zion Church, the two largest bodies of colored worshippers in America, will not carry out the plan for consolidation which was arranged at a union conference four years ago.

This statement is made by Bishop Arnett, who is in Baltimore, attending the Council of Bishops of the African Methodist Church. The plan of consolidation was to be submitted for ratification by a majority of the members of the conference, and three-quarters of the separate churches. These bodies have been voting on the proposition for three years, and the results have been coming in to Bishop Arnett, who is the secretary of the African Methodist Episcopal Church.

The Bishop's secretary is at present engaged in counting the returns at his home, in Wilberforce, Ohio, in order to make a full statement of the vote may be made at the approaching general conference of the two denominations, but the Bishop says that, far as he is familiar with the vote, it has not been sufficient to make the plan of consolidation a success.

FAVORED BISHOP WILLIAMS.

Sub-Committee of the Michigan Diocese Acts Upon Charges Against Him.

Grand Rapids, Mich., Jan. 17.—The standing committee of the Episcopal Diocese of Western Michigan met here yesterday and considered the charges emanating from Sault Ste. Marie against Bishop-elect G. Mott Williams, of Marquette.

The Diocese of Western Michigan is the first to act upon the charges, as it is one of the nearest to the scene of trouble, and its action, being unanimous in favor of the confirmation of Bishop-elect Williams, may be taken as indicative of the final settlement of the protest by the other dioceses.

The committee also voted favorably on other confirmations as follows: Rev. Dr. Satterlee, of New York, to be Bishop of Washington; Dr. C. Rev. Joseph H. Johnson, of Detroit, to be Bishop of Los Angeles; Cal. Rev. L. W. Burton, of Louisville, to be Bishop of Lexington; Rt. Rev. Bishop Harrett, of Northern Texas, to the Diocese of Dallas, Texas.

COUNTERFEITERS TAKEN IN.

Believed to Be Members of a Gang Passing Bad Silver Coins.

Frankfort, Ind., Jan. 17.—For several weeks there has been a flood of counterfeit silver coin in various county seats in North Central Indiana. Yesterday Chief of Police Bird, of this city, detected a gang of six men making the round of the saloons, offering to dispose of silver money. They were arrested and a quantity of counterfeit half-dollars was found in the possession of one of them. While being taken to Police Headquarters one of the men escaped. It was ascertained that the man who escaped had passed some of the stuff.

A United States marshal from Indianapolis came here and arrested the entire party to Lafayette for trial before a United States Commissioner.

White Caps Burned Him Out.

Lima, O., Jan. 17.—William Hartel, a large manufacturer of Payne, recently refused to discharge a colored man who worked for him, as a White Cap notice tacked to his office door one night destroyed all of his property and destroyed by fire last night, and it is believed the place was fired by White Caps.

Buried Under Tons of Iron Ore.

Chicago, Jan. 17.—Four tons of iron ore fell from a pile in the yards of the Ironquels Furnace Company this afternoon, and buried George Grubichewski, one of a gang of men working at the base of the pile. The victim was instantly killed. The foreman gave a cry of warning as a few pieces became loosened at the top of the pile, and the five other men barely escaped death.

Get the best. Ubert's Tar, Bonnet and Honey, for coughs and colds, sold everywhere.

ST. JOHN'S GOLD OFFER.

Announces the Mercantile Bank's Willingness to Bid for \$5,000,000 Bonds.

Will Take \$1,000,000 for the Bank and the Remainder for Its Customers if They Desire.

NO CHARGE FOR GOLD PAYMENTS.

Singular Symptom of the Money Market Is That Treasury Notes Have Gone to a Slight Premium and Are Hard to Get.

President William P. St. John, of the Mercantile National Bank, who is one of the few out-and-out silver men of Wall Street, captured the attention of the financial world yesterday by announcing in a circular letter that his bank is going to bid for \$1,000,000 bonds, and offers to receive and tender bids for \$4,000,000 additional.

This proposition is made to customers on the basis that the bank will furnish gold in exchange for lawful money for the first 20 per cent of the accepted bids, and will procure the 80 per cent remainder of gold at actual cost, by importation or otherwise, but not from the United States Treasury. For carrying out this transaction the bank will charge a quarter of 1 per cent of the cost of the bonds obtained for customers.

Mr. St. John's offer will probably give a boom to bidding, and, being a purely business transaction, it may induce other banks to go into the field. In his offer Mr. St. John proposes to do business at just one quarter of what Mr. Morgan was going to charge, and in addition he will furnish customers with 20 per cent of the gold required.

The additional advantage to those who deal with him will be in the fact that the Mercantile National Bank is one of the other institutions, will be in a better position to get gold from sources other than the Treasury than will private parties.

PAVE UP GOLD RECENTLY.

Mr. St. John's offer is considered the more remarkable because it was his bank which recently deposited half a million gold in the Treasury, taking Treasury notes for it. Had he held on to the gold it would have saved getting just that much more for customers, so that the patriotic offer of the Mercantile National will cost it the amount of premium it will have to pay on half a million of gold.

The withdrawal of gold yesterday for shipment to-day was \$1,000,000 by Lazard Freres. This was not as much as had been expected, and was another black eye for the croakers who have been saying that gold imported was simply borrowed and that gold would be taken from the Treasury to pay back the loan.

The gold was shipped in two lots, one of \$240,000, of which \$210,000 goes to Europe, and \$300,000 to South America.

J. & W. Seligman deposited 500,000 marks in the Assay Office yesterday to be melted into bars. It does not become a part of the reserve, however, as it is subject to withdrawal by the firm at any time.

The premium on gold and greenbacks was a little higher yesterday and the formers of the money market were much marked. There is a great deal of mystery about the dealing in greenbacks and many inquiries as to who is buying them. As weather I have ever experienced at sea, yet the ship went through it without serious damage or danger, and was quite fit to encounter another at once."

The bankers have agreed among themselves to give greenbacks to none but customers whom they are under obligation to bank, so that the money market will have a good effect, but there are lots of other sources of getting the greenbacks, so the chain will not be broken, probably be worked in spite of the banks.

Copies of the circular issued by Comptroller Eckels, calling on national banks throughout the country to popularize the loan were received in Wall Street and were regarded generally as being another contribution by the Treasury Department to the financial humor of the day. Professional financiers are firmly fixed in the opinion that the loan offered by Secretary Carlisle will be taken by big firms and that any effort to popularize it except by offering bonds as collateral, will be a failure.

The view is borne out by the fact that, whereas blank forms for bidding were in great demand when first offered by the Sub-Treasury, there are few requests for them now.

Zimmerman & Forsyth sent circulars yesterday to banks throughout the country, stating that they are prepared to make bids for bonds and to furnish gold—at a premium, of course—for the purchase of the bonds. The firm is buying all the gold and legal tenders it can at ½ per cent premium.

A YOUNG BURGLAR'S SPREE.

McSherry Says He Got Drunk When On His Way to the Police Station.

James McSherry, twenty-one years old, who lived with his parents at No. 7 South First street, Williamsburg, was arrested at an early hour yesterday morning by Policemen O'Malley and McConnelly, of the Bedford Avenue Station, on a charge of burglary. Tony Manaccho, an Italian cobbler, who lives in the rear of his shop at No. 127 South Third street, was awakened about 3 o'clock by a crash of glass, and found that his show window had been broken in and McSherry was helping himself to his shoe

McSherry was arrested three weeks ago for burglary, and when arraigned before Supreme Court Justice Smith, he pleaded insanity. He was committed to the House of Correction, where he was held for three weeks, and then released on his promise to reform. He was to report once a week to Police Captain Short, of the Bedford Avenue Station, and says he was on his way to the station house on Thursday night, when he got drunk and has since been unable to get on his feet.

Goetting, of the Lee Avenue Police Court, held him for trial in default of \$1,500 bail.

HAWLEY CHAPMAN MULCTED.

The Insane Actor's Brooklyn Tailor Brought Suit on an Old Account.

Benjamin Donohue, merchant tailor, yesterday secured judgment for \$381 in the Supreme Court, Brooklyn, against Hawley Chapman, the actor, who is now in an asylum, and his mother, Louisa W. Chapman. The money was due for clothing furnished to Chapman five years ago. Josiah A. Maren, counsel for Donohue, alleged that Mrs. Chapman had agreed to surrender \$100,000 worth of his property to her for \$60,000.

Hawley Chapman is the husband of Cora Chapman, who now lives on the West Side in this city. The couple formerly lived at No. 38 St. Mark's avenue, Brooklyn. Chapman's nurse, Herbert S. Satterlee, is in love with Mrs. Chapman and tried to murder the young woman. He shot her twice, inflicting serious wounds, but she recovered, and Satterlee was sentenced to State prison for ten years.

Engineer Clark's Sad Mishap.

Camden, N. J., Jan. 17.—John D. Clark, an engineer on the Pennsylvania Railroad, was badly scalded last night, when the head of his engine boiler was blown out. The engine, at the head of a freight train, standing near the Haddon Avenue Station when Clark discovered that the water in the boiler was low, and pulled the lever, intending to move on to the water tank.

The instant the boiler exploded, Clark was enveloped in a sheet of fire, boiling water and steam. He fell unconscious in the cab and was removed to the hospital, where, it is said, his recovery is doubtful.

DEAD LINE FOR SALOONS.

Owners of Bars Within Two Hundred Feet of a Church or a School Are Anxious.

Fifteen Hundred of the Nine Thousand Drinking Places in the City May Be Closed.

EXCISE BOARD WILL MEET TO-DAY.

Attorney Mayer's Opinion on the Subject Will Probably Guide the Commissioners—Renewals of Licenses Inside the Limit Refused.

Several hundred of the 9,031 licensed liquor dealers of New York spent an anxious day yesterday. They were wondering what opinion Lawyer Julius M. Mayer, counsel for the Excise Commissioners, would hold in regard to the enforcement of the Two Hundred Feet Limit law, as defined by the Court of Appeals.

Lawyer Mayer returned yesterday from Albany, where he had gone to secure a copy of the text of the decision. His opinion, which will be presented at an executive session of the Commissioners this morning, will refer principally to the validity of the licenses issued while the decision was pending.

In the meanwhile the Board has been withholding licenses, which have come up for renewal where there appeared to be any doubt as to their being within the two hundred feet limit. About one hundred licenses have been withheld so far.

Among the applications received yesterday were four of this class. For twenty-four years a licensed saloon has been at No. 515 East Fifteenth street. Henry Gelsenhelm, the original owner, transferred it some years ago to Fritz Stadler. Stadler sold it a few days ago to John A. Allers, but the fact that a Roman Catholic school is only eighty feet away may prevent the closing of the sale.

George A. Merjes bought a saloon nine months ago at No. 41 Seventh avenue. The premises had been occupied by a licensed saloon for fourteen years. If he had known then what he knows now, he would have observed that a church was on one side of it, only 125 feet away, and another one on the other side about ten feet nearer.

TWO RESTAURANTS NEAR CHURCHES.

Two restaurant men are also in hard lines. Victor Broussia wants to have the license of the restaurant at No. 378 Eighth avenue transferred to him, but while the restaurant is ten years old, its present owner has only had it seven months, and there is a Jewish synagogue 100 feet away. Though the restaurant at No. 133 Grand street has existed fifteen years, and the present owner has had it two years, the Commissioners refused to transfer the license to Henry W. Heusman, because the Board of Education reports were 170 feet away. While the person, Sarah, is the case with the tavern school, they decided that it might apply to all buildings used for educational purposes.

Executive officers of the Liquor Dealers' Association will hold a meeting this morning to devise a remedy. A bill is now being prepared to other current legislation. Mr. Friend said:

"This bill will be framed with the intention of having the place licensed rather than the person. Such is the case with the tavern and saloon licenses in England. To accomplish this the bill may make licenses transferable, to heirs, representatives or next of kin. We shall endeavor to secure the passage of a mandatory law, so that the transfer of a license will not be at the option of the Excise Commissioners."

The bill prepared by Mr. Friend will be introduced early in the week. It is probable that Senator Samuel J. Foley will present it. Senator Foley came down from Albany yesterday for the express purpose of conferring with the representatives of the liquor trade. He had a short talk with Excise Commissioner Julius Harburger. Senator Foley said:

"I introduced the Excise bill in 1892. The opponents of the bill succeeded in having the '200 feet limit' clause inserted before passage. I do not believe that its supporters had the least idea that it would be interpreted to affect the transfer of licenses, but it was only to restrict the issuing of licenses to new places that were within 200 feet of a school or church. The State recognizes the liquor traffic, and it should, in the name of justice, regulate the traffic in an established business. The fact that the law applies to the whole State, and that the State has no right to discriminate against one will, I think, cause a new bill to be passed by the votes of both parties."

Commissioner Harburger is also engaged in preparing a bill to amend the law so that his estimate as to the number of saloon keepers that will be driven out of the business is correct. He said:

"The number in this city will be at least 1,500, and the total number in the State will probably reach more than 5,000. The number will figure into millions. All the papers relating to applications pass through my hands, and I have observed them carefully. About forty applications are received here each day. In the few days that have elapsed since the decision in the Cairns case was announced there have been about 100 cases in which we have had to withhold a license. If the distance appears to be very close to the 200 feet, we send out a special inspector, who makes a careful measurement. So far we have been taking the cases just as they came in order of applications for re-licensing. I do not think we will resort to the police authority to help us close the saloons whose licenses are illegal."

"I had thought that we would probably resort to the communication of the temperance people, calling our attention to various places. So far only two such communications have been received, and they were both anonymous. No attention is ever paid by the Board to anonymous communications."

E. O. Thompson, 245 Broadway, Opposite City Hall Park—Cor. Murray St.

BLACKWELL'S DURHAM TOBACCO.

Blackwell's Durham Tobacco Co., Durham, N. C., and the Fashion Dolls will be sent you postpaid. You will find one coupon inside each 2 oz. bag, and two coupons inside each 4 oz. bag of

BLACKWELL'S GENUINE DURHAM TOBACCO.

Buy a bag of this Celebrated Smoking Tobacco, and read the coupon, which gives a list of other premiums and how to get them.

2 CENT STAMPS ACCEPTED.

Illustrated by 6 dolls with 21 dresses, 6 suits, 23 hats, and 25 other articles, furnishing the ladies with the latest French fashions as well as the children with an amusing toy.

3 Ways to Get These Fashions.

Send 6 Coupons, or Send 1 Coupon and 6 cents, or Send 10 Cents without any coupon, to

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